

Remarks

Applicant has carefully reviewed the Office Action mailed August 2, 2007, in which claims 1, 2, 4-20 and 39-44 are pending. In the Office Action, claims 8-20 and 39-44 were withdrawn from consideration and claims 1, 2 and 4-7 were rejected. Applicants traverse the withdrawal and the rejection and request reconsideration.

Examiner Interview

On November 28, 2007, a telephonic interview between the Examiner and the applicants was held in which the Restriction Requirement of September 28, 2006, the subsequent election by the applicants of October 30, 2006 and its effect on the application. Applicants discussed with the Examiner that it appeared to applicants that the species examined in the August 2, 2007 Office Action was not an elected species. The Examiner agreed during the telephone interview to issue a new Office Action that examines the species of a sliding, collapsing door that is best exemplified by Figure 5 and the associated portion of the specification and to withdraw the withdrawal from consideration of claims 8-20 and 39-44.

Election/Restriction

Claims 8-44 were withdrawn as being drawn to a non-elected invention. Applicants respectfully traverse the withdrawal and, per the telephonic interview, thank the Examiner for agreeing to examine these claims.

Claim Amendments

Claims 45-47 have been added. These claims are believed to be allowable as depending from a claim that is in condition for allowance, as discussed below, and because the cited prior art does not disclose a door disposed within a flexible double wall, where first and second layers of the wall are fabric or where the structure is a tent. As the Examiner has agreed to examine in the next Office Action the species best exemplified by Figure 5, and as these claims are directed towards that species, applicants respectfully submit that no additional examination burden is presented by these new claims.

Claim Rejection—35 U.S.C. § 103

Claims 1, 2 and 4-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Franklin et al., U.S. Patent No. 6,532,699 (hereinafter “Franklin”). Applicants respectfully traverse the rejection.

Franklin is directed to a sliding glass door greenhouse that can be installed in a house in place of an ordinary sliding glass door. In the Office Action, it is argued that Franklin discloses all the elements of the claims except that of the structure being collapsible. However what is claimed is a collapsible structure including a door mechanism. And in the Office Action, at least one element cited as anticipating an element of the claim is a door jamb 110, which suggests that the Examiner is considering the house or other building in which the sliding glass door greenhouse of Franklin is installed as the structure which would need to be made collapsible to anticipated the claims. In this context then, applicants read the purported motivation: “It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the structure portable in order to relocate to better surroundings affording better lighting.” The disclosed portable structures in column 1, lines 29-32 of Franklin are free-standing greenhouses, only one of which is collapsible by virtue of it having inflatable ribs. If the Examiner is suggesting that it would have been obvious to put this rigid sliding glass door greenhouse on an inflatable building, applicants cannot agree. Applicants do not believe that an inflatable building provides a sufficiently rigid structure to reliably attach a rigid sliding glass door greenhouse to. The Examiner further suggests that any portable structure would have collapsible components. Here as well applicants cannot agree. The only portable buildings that come readily to mind are mobile homes, which are manifestly not collapsible. Applicants thus respectfully submit that claim 1, which recites a collapsible structure including a door mechanism, is not obvious in view of Franklin. As claims 2 and 4-7 depend from claim 1 and contain additional elements, applicants submit that these claims are in condition for allowance as well.

Further, claim 2 recites “a fan-shaped door”, which Franklin does not disclose. Fan-shaped does not mean, as the Examiner has supposed, a shape capable of acting as a fan. Fan-shaped means shaped like a fan, or to be less tautological, shaped like something spreading out along an arc from a single starting point. Thus one sees

references to a fan-shaped river delta or a fan-shaped jet of fluid (neither of which is capable of acting as a fan). MPEP 2111 requires that the broadest reasonable interpretation of the claims must be consistent with the interpretation that those of skill in the art would reach. Applicants have never heard or seen the term "fan-shaped" used as the Examiner has suggested and assert that no one of skill in the art would so use the term. For this additional reason, applicants submit that claim 2 is in condition for allowance.

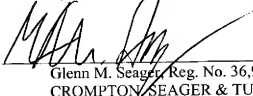
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

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